

22388 U.S. PTO
10/726215
120203

EXPRESS MAIL MAILING LABEL

ER 4210024 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
No. 4210024 DATE OF DEPOSIT 12-2-03

I hereby certify that the above indicated document or documents are being deposited with the United States Postal Service "Express Mail Post Office to Washington" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Typed or printed name of person mailing paper or fee

Signature

Docket No. 7126CIPC3

Prior Application

Examiner:

Art Unit: 1772

Confirmation No. 5612

December 2, 2003

Denver, Colorado 80217

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 35 U.S.C. 1.53, of pending prior application Serial No.: **09/770,040** filed **January 24, 2001** of **Larry J. Weinstein and Robert J. Allwein** of an invention entitled **PRE-CUT FIBROUS INSULATION FOR CUSTOM FITTING WALL CAVITIES OF DIFFERENT WIDTHS**.

1. X Enclosed is a copy of the prior application.

I hereby verify that the attached papers are a true copy of prior application Serial No. **09/770,040** as filed on **January 24, 2001**, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. X The filing fee is calculated below:

CLAIMS AS FILED				
For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims	2		x \$18	
Independent Claims	1		x \$84	
() Multiple Dependent Claim(s) Present			=	
			TOTAL FEE	\$770.00

3. X The Commissioner is hereby authorized to charge \$770.00 and any other required fees or credit any overpayment to Deposit Account 10-0625. Two (2) copies of this sheet are enclosed.

4. X Cancel in this application original claims 2-9 and 11-81 of the prior application before calculating the filing fee.

5. X Amend the specification by inserting before the first line the sentence "This application is a continuation of application Serial No. 09/770,040, filed January 24, 2001, which is a CIP of 09/713,354, filed November 10, 2000, now abandoned, which is a CIP of 09/522,976, filed March 10, 2000, now U.S. Patent 6,165,305, which is a Divisional of 09/167,783, filed October 7, 1998, now U.S. Patent 6,083,594.
6. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 6a X New formal drawings are enclosed (4 sheets).
- 6b Priority of application Serial No. filed in is claimed under 35 U.S.C. 119.
- 6c The certified copy of the priority application has been filed in prior application Serial No. , filed .
7. X The prior application is assigned of record to Johns Manville International, Inc.
8. X The power of attorney in the prior application is to
John D. Lister
3841 East Diamond Avenue
Mesa, Arizona 85206

- a. X The power appears in the original papers in the prior application.
- b. A new Declaration and Power of Attorney is enclosed.
- c. X Address all future communications to
Johns Manville Corporation whose mailing address is:
Intellectual Property (R21D)
10100 West Ute Avenue
Littleton, Colorado 80127

9. A Preliminary Amendment is enclosed.

Date 12-02-2003 Attorney John D. Lister
John D. Lister